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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAAMR MOHSEN,
Plaintiff,
v.
JOEL MOSS, *et al.*,
Defendants.

No. C 09-01426 CRB (DMR)

**ORDER DENYING AS MOOT MOTION
TO QUASH SUBPOENA ON US
PATENT AND TRADEMARK OFFICE**

Before the court is the United States Patent and Trademark Office’s (“PTO”) motion to quash a subpoena served on it by *pro se* Plaintiff Amr Mohsen. [Docket No. 37.] On December 7, 2012, the court issued an order on the motion to quash in which the court construed Plaintiff’s position in opposition to the motion to quash as a withdrawal with prejudice of the subpoena at issue. [Docket No. 50 (Order on Motion to Quash).] The court gave Plaintiff until December 21, 2012 to object to the court’s construing his position this way. (Order on Motion to Quash 3.) Having received no objection from Plaintiff to the December 7, 2012 order, the court hereby deems Plaintiff’s subpoena to the PTO withdrawn with prejudice. Accordingly, the PTO’s motion to quash the subpoena is DENIED as moot.

IT IS SO ORDERED.

Dated: January 3, 2013

